

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: By Chairman Dennis Himmelberger, on January 10, 2007 at 8:00 A.M., in Room 455 Capitol.

ROLL CALL

Members Present:

Rep. Dennis Himmelberger, Chairman (R)
Rep. Duane Ankney, Vice Chairman (R)
Rep. Hal Jacobson, Vice Chairman (D)
Rep. Debby Barrett (R)
Rep. Gary Branae (D)
Rep. Mary Caferro (D)
Rep. Sue Dickenson (D)
Rep. Gordon R. Hendrick (R)
Rep. Teresa K. Henry (D)
Rep. Pat Ingraham (R)
Rep. William J. Jones (R)
Rep. Bruce Malcolm (R)
Rep. Walter McNutt (R)
Rep. Alan Olson (R)
Rep. Mike Phillips (D)
Rep. Veronica Small-Eastman (D)
Rep. Franke Wilmer (D)

Members Excused: Rep. Scott Sales

Members Absent: None

Staff Present: Dee Barfknecht, Committee Secretary
Sheri Heffelfinger, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing: HB 43, HB 67, HB 70, HB 97
Executive Action: HB 23, HB 41, HB 43, HB 62
HB 67, HB 70

HEARING ON HB 67

Opening Statement by Sponsor:

00:04:12 Rep. Ralph Heinert (R), HD 1, opened the hearing on HB 67, Clarify poll of Legislature for administrative rules.

Proponents:

00:07:08 Nanette Gilbertson, Montana Sheriff's and Peace Officers Association

Opponents: None

Informational Testimony:

00:08:25 Jean Branscum, Office of the Secretary of State

Questions from Committee Members and Responses:

00:08:53 Rep. Jones
00:10:12 Ms. Branscum
00:10:50 Rep. Jones
00:11:13 Ms. Branscum
00:11:39 Chairman Himmelberger
00:11:51 Rep. Jones
00:12:29 Rep. Ingraham
00:13:26 Ms. Gilbertson

Closing by Sponsor:

00:14:17 Rep. Heinert

HEARING ON HB 43

Opening Statement by Sponsor:

00:14:48 Rep. Bill McChesney (D), HD 40, opened the hearing on HB 43, Revise state warrant writing laws.

Proponents:

00:16:10 Paul Christofferson, Department of Administration

Opponents: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:17:27 Rep. Ingraham
00:17:55 Mr. Christofferson
00:18:33 Rep. Ingraham
00:18:36 Mr. Christofferson

Closing by Sponsor:

00:18:53 Rep. McChesney

HEARING ON HB 97

Opening Statement by Sponsor:

00:19:26 Rep. Debby Barrett (R), HD 72, opened the hearing on HB 97, Revise procedure for review of administrative rules.

Proponents: None

Opponents:

00:26:45 Dal Smilie, Department of Administration
[EXHIBIT\(sth06a01\)](#)
00:34:48 Hal Harper, Governor's Office

Informational Testimony:

00:42:29 Ms. Branscum

Questions from Committee Members and Responses:

00:44:46 Rep. Jones
00:45:13 Mr. Smilie
00:45:42 Rep. Phillips
00:46:05 Rep. Barrett
00:46:09 Rep. Wilmer
00:46:46 Rep. Barrett

00:47:11 Rep. Jacobson
00:48:01 Mr. Smilie
00:49:49 Rep. Jacobson
00:50:22 Mr. Smilie
00:52:17 Rep. Jacobson
00:53:11 Ms. Branscum
00:53:34 Rep. Jacobson
00:54:43 Rep. Barrett
00:55:03 Rep. Jacobson
00:55:25 Mr. Harper
00:56:07 Chairman Himmelberger
00:56:13 Sheri Heffelfinger
01:02:57 Rep. Jones
01:04:05 Mr. Harper
01:06:53 Chairman Himmelberger
01:07:04 Rep. McNutt
01:07:40 Chairman Himmelberger
01:07:42 Rep. Wilmer
01:08:19 Rep. Barrett
01:08:56 Rep. Wilmer
01:09:31 Rep. Phillips
01:10:06 Rep. Barrett
01:10:20 Rep. Malcolm
01:10:52 Rep. Barrett

Closing by Sponsor:

01:11:47 Rep. Barrett

HEARING ON HB 70

Opening Statement by Sponsor:

01:17:29 Rep. Edith Clark (R), HD 28, opened the hearing on HB 70, Revise laws governing publication and distribution of administrative rules.

Proponents:

01:20:44 Ms. Branscum
01:24:55 Cleo Anderson, Department of Revenue

Opponents: None

Informational Testimony:

01:26:22 John Ellingson, Attorney General's Office

Questions from Committee Members and Responses:

01:27:08 Rep. Jones
01:27:59 Rep. Clark
01:28:04 Rep. Jones
01:28:56 Rep. Clark
01:29:03 Ms. Branscum
01:31:17 Rep. Jones
01:31:26 Ms. Branscum

Closing by Sponsor:

01:32:07 Rep. Clark

01:32:52 Recess
01:46:30 Reconvened

EXECUTIVE ACTION ON HB 23

01:47:56 **Motion:** Rep. McNutt moved that **HB 23 DO PASS.**
01:48:02 **Vote:** Motion carried unanimously by voice vote.
Reps. Caferro, Sales and Jones voted by proxy.

EXECUTIVE ACTION ON HB 41

01:48:08 **Motion:** Rep. Phillips moved that **HB 41 DO PASS.**

01:48:15 **Discussion:**

01:48:29 Rep. Jacobson
01:48:40 Rep. Ingraham
01:49:33 Rep. McNutt
01:50:53 Rep. Malcolm
01:51:26 Rep. Dickenson
01:53:10 Rep. Olson
01:53:42 Chairman Himmelberger

01:56:30 **Vote:** Chairman Himmelberger called for Roll
Call Vote, Vote carried 14-4 by Roll Call Vote.
Reps. Caferro, Sales and Jones voted by proxy.
Chairman Himmelberger and Reps. Ingraham,
Malcolm and Jones voted no.

EXECUTIVE ACTION ON HB 62

01:56:53 **Motion:** Rep. Jacobson moved that **HB 62 DO PASS.**

01:56:56 **Discussion:**

01:56:58 Rep. Jacobson

01:58:08 **Vote:** Motion carried unanimously by voice vote.
Reps. Caferro, Sales and Jones voted by proxy.

EXECUTIVE ACTION ON HB 67

01:59:15 **Motion:** Rep. Olson moved that **HB 67 DO PASS.**

01:59:33 **Vote:** Motion carried unanimously by voice vote.
Reps. Caferro, Sales and Jones voted by proxy.

EXECUTIVE ACTION ON HB 43

02:00:24 **Motion:** Rep. Olson moved that **HB 43 DO PASS.**

02:00:34 **Vote:** Motion carried unanimously by voice vote.
Reps. Caferro, Sales and Jones voted by proxy.

EXECUTIVE ACTION ON HB 70

02:01:23 **Motion:** Rep. Olson moved that **HB 70 DO PASS.**

02:01:28 **Vote:** Motion carried unanimously by voice vote.
Reps. Caferro, Sales and Jones voted by proxy.

Additional Discussion:

02:01:35 Chairman Himmelberger
02:01:40 Sheri Heffelfinger
02:03:27 Chairman Himmelberger
02:03:40 Rep. Henry
02:06:41 Rep. McNutt
02:07:56 Rep. Wilmer
02:08:55 Rep. Barrett
02:08:58 Rep. Olson
02:10:45 Rep. Barrett
02:11:42 Rep. Jacobson
02:12:23 Sheri Heffelfinger

02:12:49 Chairman Himmelberger

02:13:34 Rep. McNutt

02:14:32 Rep. Barrett

ADJOURNMENT

02:14:48 Adjournment

REP. DENNIS HIMMELBERGER, Chairman

DEE BARFKNECHT, Secretary

DH/db

Additional Exhibits:

EXHIBIT([sth06aad.pdf](#))